



# SENATE BILL 69: Various Local Provisions V.

2025-2026 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	June 24, 2025
<b>Introduced by:</b>	Sen. Moffitt	<b>Prepared by:</b>	Karyl Smith
<b>Analysis of:</b>	PCS to Third Edition S69-CSCJe-18		Staff Attorney

## OVERVIEW: *The PCS to Senate Bill 69 would do the following:*

- *Change the method of filling vacancies for the Haywood County Board of Commissioners.*
- *Change the method of election for the Jackson County Board of Education from nonpartisan to partisan.*
- *Eliminate the authority of the City of Jacksonville to exercise extraterritorial jurisdiction.*

## CURRENT LAW, BILL ANALYSIS, AND EFFECTIVE DATE:

### Haywood County Board of Commissioners

Haywood County Board of Commissioners consists of five members elected at-large on a partisan basis. Members are elected to serve staggered four-year terms. The election is held on the Tuesday after the first Monday in November with members taking office on the first Monday in December following the election. G.S. 163-279; G.S. 153A-26.

When a vacancy on a county board of commissioners (board) occurs, generally that vacancy is filled in accordance with G.S. 153A-27 or G.S. 153A-27.1. Currently, the Haywood County Board of Commissioners fills vacancies in accordance with G.S. 153A-27.1.

Under both statutory processes, the remaining members of the board appoint a new member to fill that vacancy. G.S. 153A-27 requires consultation with the executive committee of the political party of the vacating member but the board is not bound by that political party's recommendation. G.S. 153A-27.1 provides that the board must appoint the recommendation of the political party of the vacating member, if that recommendation is made within 30 days of the vacancy.

**Part 1** of the PCS, effective when it becomes law and applying to vacancies filled on or after that date, would remove Haywood County from the list of counties in which G.S. 153A-27.1 applies to provide that the Haywood County Board of Commissioners is not bound by the recommendation of the political party of the vacating member when filling a vacancy on the Haywood County Board of Commissioners.

### Jackson County Board of Education

The Jackson County Board of Education consists of five members elected from single-member residency districts. Each candidate to the Jackson County Board of Education must reside in the district in which he or she seeks to serve, but elections are conducted county-wide. Members are elected in even-numbered years at the time of the general election to serve staggered four-year terms. Elections are conducted using

Kara McCraw  
Director



Legislative Analysis  
Division  
919-301-1976

# Senate 69 PCS

Page 2

the nonpartisan plurality method. Members take office on the first Monday in December following the election.

Vacancies are filled by the remaining members of the Jackson County Board of Education. If the vacancy occurs during the first two years of the term, the appointee serves until the next election of members, at which time the remaining unexpired term will be filled by election. If the vacancy occurs during the last two years of the term, the appointee serves for the remainder of the unexpired term. G.S. 115C-37(f).

**Part 2** of the PCS would provide that members of the Jackson County Board of Education would be elected on a partisan basis, beginning in 2026. Any vacancy occurring on the Jackson County Board of Education would be filled by the remaining members in accordance with G.S. 115C-37.1, which requires the remaining members of the board to consult with the county executive committee of the relevant political party before filling a vacancy and to appoint that executive committee's nominee, if the recommendation is made within 30 days of the occurrence of the vacancy.

## **City of Jacksonville**

Except under certain circumstances, a city may regulate land use within an area beyond its corporate limits, commonly referred to as extraterritorial jurisdiction (ETJ). Land use regulations include zoning, subdivision regulation, building code enforcement, minimum housing code enforcement, historic preservation, erosion and sedimentation control, and historic district regulation.

Effective when it becomes law, **Part 3** of the PCS would do the following:

- Eliminate the City of Jacksonville's authority to exercise extraterritorial jurisdiction.
- Return the area currently within the City of Jacksonville's ETJ to the jurisdiction of the County of Onslow.

**EFFECTIVE DATE:** Except as otherwise provided, effective when it becomes law.

*Erika Churchill, Jessica Sammons, Hillary Woodard, William Brewer, and Ike McRee, Staff Attorneys with the Legislative Analysis Division, substantially contributed to this summary.*